

REMARKS

Applicants respectfully request reconsideration of the present U.S. Patent application. No claims have been added and claims 29-31 have been cancelled. Claims 1, 6-8, 11, 12, 14, 19, 20, 22 and 24 have been amended. Thus, claims 1-24 are pending.

REJECTIONS UNDER 35 U.S.C. § 102(e)

Claims 29-31 were rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,363,422 B1 issued to Hunter, et al. (*Hunter*). Claims 29-31 have been cancelled without prejudice and, therefore, the rejections of claims 29-31 are moot.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1, 2, 5-17, 19, 20, 22, and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,286,038 B1 issued to Reichmeyer, et al. (*Reichmeyer*) in view of U.S. Patent No. 6,363,422 issued to Hunter, et al. (*Hunter*). For at least the reasons set forth below, Applicants submit that claims 1, 2, 5-17, 19, 20, 22, and 24 are not rendered obvious in view of *Reichmeyer* and *Hunter*.

The Manual of Patent Examining Procedure ("MPEP"), in § 706.02(j), states:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must be both found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

(Emphasis added). Thus, the MPEP and applicable case law require that a combination of references teach or suggest **all of the claim limitations** of rejected claims to sustain an obviousness rejection under 35 U.S.C. § 103.

Amended claims 1, 19, and 22 recite:

dynamically obtaining by the client device **at least one alert detection parameter** from a first server;

(Emphasis added). Claim 11 similarly recites an alert proxy. "receiving ... a configuration data request ... the configuration data request being submitted by the client device using at least one **dynamically obtained alert detection parameter.**"

The Office action states that *Reichmeyer* fails to disclose "dynamically obtaining at least one alert detection parameter from a first server." The Applicants agree that *Reichmeyer* fails to disclose the above-quoted claim limitation. The Office action further states that *Hunter* discloses the above-quoted claim limitation at column 4, lines 11-16, wherein *Hunter* states:

All rules for controlling each piece of facilities equipment are provided by the server to each client device, when requested. All rules for monitoring each piece of facilities equipment are programmed to, and remain resident and operational on, each client.

The Applicants respectfully disagree.

The cited passage of *Hunter* merely discloses aspects of a facilities management intranet. Alert detection parameters are not discussed at all and, specifically, obtaining "**at least one alert detection parameter**" is not disclosed by the cited passages. Therefore, Applicants find nothing in the cited passage of *Hunter* that discloses "dynamically obtaining by the client device **at least one alert detection parameter** from a first server," as recited in claims 1, 19, and 22 or "receiving ... a configuration data request ... the configuration data request being submitted by the client device using at least one **dynamically obtained alert detection parameter,**" as recited by claim 11.

As shown above, the Office action states that *Reichmeyer* does not disclose "dynamically obtaining by the client device at least one alert detection parameter." Also, as shown above, Applicants respectfully submit that the cited passage of *Hunter* does not teach or suggest the above-quoted claim limitation. Thus, no combination of *Reichmeyer* with *Hunter* teaches or suggests "dynamically obtaining by the client device at least one alert detection parameter." For at least the reason that neither reference, alone or in combination, teaches or suggests the above-quoted claim limitation, Applicants respectfully submit that no combination of *Reichmeyer* with *Hunter* renders claims 1, 11, 19, and 22 obvious.

Claims 2 and 5-10 depend from claim 1. Claims 12-17 depend from claim 11. Claim 20 depends from claim 19. Claim 24 depends from claim 22. For at least the reason that dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 2, 5-10, 12-17, 20, and 24 are not rendered obvious by *Reichmeyer* and *Hunter*.

Dependent claims 3-4, 18, 21, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Reichmeyer* in view of *Hunter*, and in further view of U.S. Patent No. 6,353,854 B1 issued to Cromer, et. al. (*Cromer*). Claims 3-4 depend from claim 1. Claim 18 depends from claim 11. Claim 21 depends from claim 19. Claim 23 depends from claim 22. As shown above, claims 1, 19, and 22 recite "dynamically obtaining by the client device at least one alert detection parameter," and claim 11 recites "receiving ... a configuration data request ... submitted ... using at least one dynamically obtained alert detection parameter."

*Cromer* is cited to teach a means for enabling a client device to detect alerts while the device is in a reduced functional state. Whether or not *Cromer* discloses a means for enabling a client device to detect alerts while the device is in a reduced functional state, it does not teach or suggest "dynamically obtaining by the client device at least one alert detection parameter," as

recited in claims 1, 19, and 22 or "receiving ... a configuration data request ... submitted ... using at least one dynamically obtained alert detection parameter," as recited in claim 11. Thus Applicants respectfully submit that no combination of *Reichmeyer, Hunter, and Cromer* renders claims 3-4, 18, 21, and 23 obvious.

Dependent claim 31 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hunter* in view of U.S. Patent No. 5,732,268 issued to Bizzarri (*Bizzarri*). Claim 31 has been cancelled without prejudice and, therefore, the rejection of claim 31 is moot.

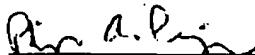
#### CONCLUSION

For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-24 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
**BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP**

Date: 27 November 2002

  
Philip A. Pedigo  
Attorney for Applicant  
Reg. No. 52,107

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, CA 90025-1026  
(503) 684-6200

Application No.: 09/409,627  
Attorney Docket No.: 042390.P7092

Examiner: K. Parton  
Art Unit: 2153

MARKED VERSION OF THE AMENDED CLAIMS

1. (Amended) In a client device, a method comprising:
  - dynamically obtaining by the client device at least one alert detection [and management] parameter from a first server;
  - dynamically obtaining configuration data from a remote alert proxy using the at least one obtained alert detection [and management] parameter; and
  - automatically configuring the client device using the dynamically obtained configuration data.
6. (Amended) The method of claim 1, wherein the at least one alert detection [and management] parameter is requested by the client device from the first server.
7. (Amended) The method of claim 6, wherein the at least one alert detection [and management] parameter is requested by the client device using the options field of a dynamic host control protocol (DHCP) message.
8. (Amended) The method of claim 1, wherein dynamically obtaining by the client device the at least one alert detection [and management] parameter further comprises dynamically obtaining at least one of an alert destination address, a watchdog interval, and a heartbeat interval.
11. (Amended) In a first server, a method comprising:

receiving by an alert proxy, a configuration data request from a client device, the configuration data request being submitted by the client device using at least one dynamically obtained alert detection [and management] parameter; and  
providing the requested configuration data to the client device to enable the client device to be automatically configured.

12. (Amended) The method of claim 11, wherein the at least one dynamically obtained alert detection [and management] parameter is dynamically obtained from a second server.

14. (Amended) The method of claim 12, wherein the at least one dynamically obtained alert detection [and management] parameter includes at least one of a dynamically obtained alert destination address, a watchdog interval, and a heartbeat interval.

19. (Amended) An apparatus comprising logic to:

dynamically obtain at least one alert detection [and management] parameter from a first server;

dynamically obtain configuration data from a remote alert proxy using the at least one obtained alert detection [and management] parameter; and

configure the apparatus using the dynamically obtained configuration data.

20. (Amended) The apparatus of claim 19, wherein the at least one obtained alert detection [and management] parameter includes at least one of an alert destination address, a watchdog interval, and a heartbeat interval.

22 (Amended) An article of manufacture comprising a machine readable medium having a plurality of machine readable instructions stored thereon, wherein when the instructions are executed by a processor, the instructions subscribe the processor to:

dynamically obtain at least one alert detection [and management] parameter from a first server;

dynamically obtain configuration data from a remote alert proxy using the at least one obtained alert detection [and management] parameter; and

configure a device containing the processor using the dynamically obtained configuration data.

24. (Amended) The article of manufacture of claim 22, wherein the at least one obtained alert detection [and management] parameter includes at least one of an alert destination address, a watchdog interval, and a heartbeat interval.